

Rebekah Conroy  
**STONE CONROY LLC**  
25 A Hanover Road, Suite 301  
Florham Park, NJ 07932  
Tel: (973) 400-4181  
Fax: (973) 498-0070  
rconroy@stoneconroy.com

*Attorneys for Defendants*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

TEVA BRANDED  
PHARMACEUTICAL PRODUCTS  
R&D, INC., NORTON  
(WATERFORD) LTD., and TEVA  
PHARMACEUTICALS USA, INC.

Plaintiffs,

v.

AMNEAL PHARMACEUTICALS OF  
NEW YORK, LLC, AMNEAL  
IRELAND LIMITED, AMNEAL  
PHARMACEUTICALS LLC, and  
AMNEAL PHARMACEUTICALS  
INC.

Defendants.

Civil Action No. 23-cv-20964-SRC-  
MAH

**DECLARATION OF  
REBEKAH CONROY**

I, Rebekah Conroy, of full age, hereby declare as follows,

1. I am an attorney at law of the State of New Jersey, a member of good standing of the bar of this Court, and a Member of the law firm Stone Conroy

LLC, co-counsel to Defendants Amneal Pharmaceuticals of New York, LLC, Amneal Ireland Limited, Amneal Pharmaceuticals LLC, and Amneal Pharmaceuticals Inc. (collectively, “Defendants”). The matters set forth herein are based on my personal knowledge.

2. I submit this declaration in support of Defendants’ Consolidated Brief in Support of Defendants’ Rule 12(c) Motion and in Opposition to Plaintiffs’ Motion to Dismiss, filed concurrently herewith.

3. Attached as Exhibit 1 is a true and correct copy of excerpts from Merriam-Webster’s Collegiate Dictionary (10th ed. 2002).

4. Attached as Exhibit 2 is a true and correct copy of excerpts from Merriam-Webster’s Collegiate Dictionary (11th ed. 2020).

5. Attached as Exhibit 3 is a true and correct copy of Reed F. Beall & Aaron S. Kesselheim, *Tertiary Patenting on Drug-Device Combination Products in the United States*, 36(2) Nature Biotechnology 142-45 (Feb. 2018), available at [https://www.nature.com/articles/nbt.4078.epdf?author\\_access\\_token=k19w\\_aka6yYXhVtkaCGFOdRgN0jAjWel9jnR3ZoTv0MGOAdGITA-e4st1uwIqL0ZGE0-17DL5n2Qg8u7csdohGlFGwUWdjvieJtiDwzfoldY3\\_E4HS6rf7YbpkcyvI2u](https://www.nature.com/articles/nbt.4078.epdf?author_access_token=k19w_aka6yYXhVtkaCGFOdRgN0jAjWel9jnR3ZoTv0MGOAdGITA-e4st1uwIqL0ZGE0-17DL5n2Qg8u7csdohGlFGwUWdjvieJtiDwzfoldY3_E4HS6rf7YbpkcyvI2u) (last accessed Feb. 20, 2024).

6. Attached as Exhibit 4 is a true and correct copy of a Food and Drug Administration Guidance Document titled *Reviewed Guidance for Nebulizers*,

*Metered Dose Inhalers, Spacers and Actuators* (Oct. 1993), available at <https://www.fda.gov/media/72312/download> (last accessed Feb. 20, 2024).

7. Attached as Exhibit 5 is a true and correct copy of the Federal Trade Commission's ("FTC") Statement Concerning Brand Drug Manufacturers' Improper Listing of Patents in the Orange Book (Sep. 14, 2023), available at [https://www.ftc.gov/system/files/ftc\\_gov/pdf/p239900orangebookpolicystatement092023.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/p239900orangebookpolicystatement092023.pdf) (last accessed Feb. 20, 2024).

8. Attached as Exhibit 6 is a true and correct copy of the FTC's brief as *amicus curiae* in *Mylan Pharms Inc. v. Sanofi-Aventis U.S. LLC*, Civil Action No. 23-836 (W.D. Pa.), filed Nov. 20, 2023 as D.I. 61-3.

9. Attached as Exhibit 7 is a true and correct copy of excerpts from Teva Branded Pharmaceutical Products R&D, Inc. and Norton (Waterford) Ltd.'s Proposed Pretrial Findings of Fact in *Teva Branded Pharm. Prod. R&D, Inc. v. Cipla Ltd.*, Civil Action No. 20-10172 (D.N.J.) (consolidated), filed June 12, 2023 as D.I 283.

10. Attached as Exhibit 8 is a true and correct copy of H.R. Rep. No. 116-47 (2019), available at <https://www.congress.gov/116/crpt/hrpt47/CRPT-116hrpt47.pdf> (last accessed Feb. 20, 2024).

11. Attached as Exhibit 9 is a true and correct copy of the Orange Book Transparency Act of 2020, Pub. L. No. 116-290, 134 Stat. 4889 (Jan. 5, 2021),

available at <https://www.congress.gov/116/plaws/publ290/PLAW-116publ290.pdf>  
(last accessed Feb. 20, 2024).

12. Attached as Exhibit 10 is a true and correct copy of excerpts from  
Congr. Rec. Vol. 166, No. 206 (SA 2693) (Dec. 7, 2020) (available at  
<https://www.congress.gov/116/crec/2020/12/07/166/206/CREC-2020-12-07.pdf>  
(last accessed Feb. 20, 2024).

13. Attached as Exhibit 11 is a true and correct copy of excerpts from  
H.R. Rep. No. 108-391 (2003), available at  
<https://www.congress.gov/108/crpt/hrpt391/CRPT-108hrpt391.pdf> (last accessed  
Feb. 20, 2024).

14. Attached as Exhibit 12 is a true and correct copy of excerpts from 68  
Fed. Reg. No. 116 (June 18, 2003), available at  
<https://www.govinfo.gov/content/pkg/FR-2003-06-18/pdf/03-15065.pdf> (last  
accessed Feb. 20, 2024).

I hereby declare under the penalty of perjury that the foregoing statements  
made by me are true and correct.

Dated: February 20, 2024

/s/ Rebekah Conroy  
Rebekah Conroy